

AMENDED IN ASSEMBLY MAY 23, 2012

AMENDED IN ASSEMBLY MAY 2, 2012

AMENDED IN ASSEMBLY APRIL 11, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2285**

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**Introduced by Assembly Member Eng**

February 24, 2012

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An act to add Section 13510.4 to the Penal Code, relating to peace officer training.

LEGISLATIVE COUNSEL'S DIGEST

AB 2285, as amended, Eng. Peace officer testing: cheating.

Existing law requires the Commission on Peace Officer Standards and Training to establish a certification program for peace officers and for the California Highway Patrol and to establish minimum standards relating to physical, mental, and moral fitness for peace officers, as specified.

This bill would make a peace officer trainee, as defined, who knowingly cheats, assists in cheating, or aids, abets, or knowingly conceals efforts by others to cheat in any manner on a basic course examination mandated by the commission liable for a fine of not more than \$5,000 ~~\$1,000~~ per occurrence. ~~Additionally, the bill would require the peace officer trainee to reimburse the commission for the cost of reconstructing and securing tests that have been compromised by the act of cheating, in an amount determined by the commission, but not to exceed \$25,000. The bill would disqualify a peace officer trainee who is found liable for cheating from future eligibility as a peace officer~~

and would require the commission to note that disqualification in the person's training record.

~~This bill would express the Legislature's findings and declarations relating to the Peace Officer Standards and Training examination process.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~-no.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     ~~SECTION 1. The Legislature finds and declares that the Peace~~  
2     ~~Officer Standards and Training (POST) examination process must~~  
3     ~~be secure and beyond reproach, and that the conduct of students,~~  
4     ~~instructors, examiners, examinees, and staff before, during, or after~~  
5     ~~POST examinations must be in conformance with the highest~~  
6     ~~standards of conduct expected of a California peace officer. The~~  
7     ~~Legislature therefore finds that a peace officer trainee should be~~  
8     ~~liable for cheating before, during, or after any POST-mandated~~  
9     ~~basic course examination.~~

10    ~~SEC. 2.~~

11    ~~SECTION 1.~~ Section 13510.4 is added to the Penal Code, to  
12    read:

13    13510.4. (a) A peace officer trainee who, based on the  
14    commission's investigative findings, knowingly cheats, assists in  
15    cheating, or aids, abets, or knowingly conceals efforts by others  
16    to cheat in any manner on a basic course examination mandated  
17    by the commission shall be liable for a civil fine of not more than  
18    five *one* thousand dollars ~~(\$5,000)~~ (\$1,000) per occurrence.

19    ~~(b) In addition to the fine described in subdivision (a), a peace~~  
20    ~~officer trainee shall reimburse the commission for the cost of~~  
21    ~~reconstructing and securing tests that have been compromised by~~  
22    ~~the act of cheating, as determined by the commission, but not to~~  
23    ~~exceed twenty-five thousand dollars (\$25,000).~~

24    ~~(c) A peace officer trainee who is found liable under subdivision~~  
25    ~~(a) shall be disqualified from future eligibility as a peace officer~~  
26    ~~in California. When a person is determined to be disqualified under~~  
27    ~~this subdivision, the commission shall place the following in the~~  
28    ~~commission's training record for that person: "THIS PERSON IS~~  
29    ~~INELIGIBLE TO BE A PEACE OFFICER IN CALIFORNIA~~  
30    ~~PURSUANT TO SECTION 13510.3 OF THE PENAL CODE."~~

1     ~~(d)~~

2     ~~(b)~~ For purposes of this section, “cheating” means any attempt  
3 or act by a peace officer trainee to gain an unfair advantage or give  
4 an unfair advantage to another peace officer trainee or group of  
5 trainees taking a POST-mandated basic course examination.

6     ~~(e)~~

7     ~~(c)~~ For purposes of this section, “peace officer trainee” means  
8 an applicant for a basic course examination who has not been hired  
9 by a department or agency and who has not been sworn as a peace  
10 officer.

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